

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Glenn Graff, et al.	:	CASE NO. 1:09-CV-00670
	:	
PLAINTIFFS	:	Judge Susan J. Dlott
	:	
v.	:	Magistrate Judge Karen L.
	:	Litkovitz
	:	
	:	
	:	
Haverhill North Coke Company,	:	
et al.	:	
	:	
DEFENDANTS	:	
	:	

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE EXHIBITS UNDER
SEAL AND MEMORANDUM IN SUPPORT**

In accordance with Paragraph 8 of the Protective Order (Doc. 66) and S.D. Ohio Civ. R. 79.3, the Plaintiffs file this unopposed motion for leave of the Court to file Exhibits 10 and 11 to Plaintiffs' Reply in Support of their Motion to Compel under seal. The exhibits are documents beginning with Bates numbers HNCCE-00018194 and HNCCE-00090440.

The Plaintiffs have contacted Defendants' counsel and Defendants have waived the 7-day notice period before filing confidential material. (*See*, Doc. 66, ¶ 8). The Defendants have also agreed that the portion of Plaintiffs' Reply brief discussing Exhibits 10 and 11 need not be redacted or filed under seal.

Good cause exists to file the two contract documents under seal. The Defendants allege the documents are contracts that meet the definition of confidential material under the protective order. The Court may wish to review the full context of the contracts that contain the provisions

discussed in the Reply. Plaintiffs have agreed to file the documents under seal in order to avoid any protracted dispute.

s/ Justin D. Newman
D. David Altman (0021457)
Justin D. Newman (0080968)
Lawrence R. Altman (MN0135720)
Elaine K. Lutz (0087063)
Nicholas W. Schwandner (0086471)
D. DAVID ALTMAN CO., L.P.A.
15 East 8th Street, Suite 200W
Cincinnati, Ohio 45202
(513) 721-2180
daltman@environlaw.com
Trial Attorneys for the Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2011, a copy of the foregoing *PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE EXHIBITS UNDER SEAL AND MEMORANDUM IN SUPPORT* was electronically filed with the Clerk of Court using the Court's electronic filing system. Notice of this filing will be sent to all parties in the case by operation of the Court's electronic filing system, and parties may access this filing through the Court's system.

s/ Nicholas W. Schwandner
Nicholas W. Schwandner